

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM BELL,

Plaintiff,

v.

MICHIGAN DEPARTMENT OF
CORRECTIONS, *et. al.*,

Defendants.

Case No. 08-12397

Honorable John Corbett O'Meara

**ORDER GRANTING DEFENDANTS' JUNE 8, 2010
MOTION FOR SUMMARY JUDGMENT**

This matter came before the court on Defendants' June 8, 2010 motion for summary judgment. On June 9, 2010, the court ordered plaintiff William Bell to file a response to the motion on or before July 9, 2010. Plaintiff failed to file a response.

Under Rule 56(c) of the Federal Rules of Civil Procedure, summary judgment may be granted "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law."

The movant bears the burden of demonstrating the absence of all genuine issues of material fact. See Gregg v. Allen-Bradley Co., 801 F.2d 859, 861 (6th Cir. 1986). The moving party need not produce evidence showing the absence of a genuine issue of material fact. Rather, "the burden on the moving party may be discharged by 'showing' -- that is, pointing out to the district court -- that there is an absence of evidence to support the nonmoving party's case." Celotex Corp. v. Catrett, 477 U.S. 317, 325 (1986).

Once the moving party discharges that burden, the burden shifts to the nonmoving party to set forth specific facts showing a genuine triable issue. Fed. R. Civ. P. 56(e); Gregg, 801 F.2d at 861.

In this case, Plaintiff has failed to set forth specific facts showing a genuine triable issue; therefore, Defendants are entitled to summary judgment.

ORDER

It is hereby **ORDERED** that Defendants' June 8, 2010 motion for summary judgment is **GRANTED**.

s/John Corbett O'Meara
United States District Judge

Date: July 28, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, July 28, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager